

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

COLONY INSURANCE COMPANY

v.

CUSTOM AG COMMODITIES, LLC,
DIVERSIFIED INGREDIENTS, INC.

§

§ Civil Action No. 4:16-CV-83

§ (Judge Mazzant/Judge Nowak)

§

§

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the reports of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On June 15, 2017, the report of the Magistrate Judge (Dkt. #44) was entered containing proposed findings of fact and recommendations that Plaintiff Colony Insurance Company's Motion for Summary Judgment (Dkt. #32) be granted, and that Defendant Diversified Ingredients, Inc.'s Cross Motion for Summary Judgment (Dkt. #34) and Defendant Custom Ag Commodities, LLC's Cross Motion for Summary Judgment (Dkt. #36) each be denied.

Having received the reports of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant Diversified Ingredients, Inc.'s Cross Motion for Summary Judgment (Dkt. #34) and Defendant Custom Ag Commodities, LLC's Cross Motion for Summary Judgment (Dkt. #36) each are **DENIED**.

It is further **ORDERED** that Plaintiff Colony Insurance Company's Motion for Summary Judgment (Dkt. #32) is **GRANTED**.

IT IS SO ORDERED.

SIGNED this 10th day of July, 2017.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE